

Before the  
Federal Communications Commission  
Washington, D.C. 20554

*Original*

In the Matter of )  
)  
Promotion of Competitive Networks )  
in Local Telecommunications Markets )  
)  
Wireless Communications Association )  
International, Inc. Petition for Rulemaking to )  
Amend Section 1.4000 of the Commission's )  
Rules to Preempt Restrictions on Subscriber )  
Premises Reception or Transmission Antennas )  
Designed to Provide Fixed Wireless Services )  
Cellular Telecommunications Industry )  
Association Petition for Rule Making and )  
Amendment of the Commission's Rules )  
to Preempt State and Local Imposition of )  
Discriminatory and/or Excessive Taxes )  
and Assessments )  
)  
Implementation of the Local Competition )  
Provisions in the Telecommunications Act )  
of 1996 )

WT Docket No. 99-217

**RECEIVED**

OCT 12 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

CC Docket No. 96-98

**FURTHER COMMENTS OF THE  
PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION**

The Personal Communications Industry Association ("PCIA")<sup>1</sup> respectfully  
submits these comments in connection with the Notice of Inquiry ("NOI") issued by the  
Commission in the above-captioned proceeding.<sup>2</sup>

<sup>1</sup> PCIA is an international trade association established to represent the interests of the commercial and private mobile radio service communications industries and the fixed broadband wireless industry. PCIA's Federation of Councils includes: the Paging and Messaging Alliance, the PCS Alliance, the Site Owners and Managers Association, the Private Systems Users Alliance, the Mobile Wireless Communications Alliance, and the Wireless Broadband Alliance. As an FCC appointed frequency coordinator for the Industrial/Business Pool frequencies below 512 MHz, the 800 MHz and 900 MHz Business Pools, the 800 MHz General Category frequencies for Business Eligibles and

In the NOI portion of this proceeding, the Commission indicates that it is concerned with the potential discriminatory and anti-competitive effects of certain State and local tax policies and seeks comment on the nature and prevalence of these tax burdens on competitive telecommunications service providers. The Commission also seeks comments on tax schemes that have avoided placing an undue burden on new telecommunications providers and means of correcting inequitable tax treatment of these new carriers and their customers.<sup>3</sup>

The Commission is correct to be concerned with the increasing incidence of direct and indirect taxes and fees that target telecommunications carriers. As PCIA has noted, while any one of these taxes or obligations may seem inconsequential, taken together these charges—on top of carriers' standard tax and fee obligations—threaten the industry's ability to meet the public's advanced telecommunications needs.<sup>4</sup>

The unprecedented growth of wireless networks benefits all Americans through greater convenience and safety, more employment and more income tax revenues. And wireless networks can offer these public benefits without significant use of public rights-of-way or continuing governmental oversight. Nevertheless, despite the fact that wireless networks impose fewer costs on the public, state and local governments

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conventional SMR systems, and the 929 MHz paging frequencies, PCIA represents and serves the interests of tens of thousands of FCC licensees.

<sup>2</sup> PCIA previously responded to questions posed by the Commission in the Notice of Proposed Rulemaking portion of this proceeding. See PCIA Comments of August 27, 1999; Reply Comments of September 27, 1999.

<sup>3</sup> NOI at ¶84.

<sup>4</sup> Letter of November 12, 1998, from Mary McDermott, Chief of Staff and Senior Vice President, Government Relations, PCIA to John Berresford, Industry Analysis Division, Common Carrier Bureau in CC Docket No. 98-146. ("McDermott Letter").

continue to view operators as fiscal “cash cows.” The Commission can take a leadership role in pointing out the negative impact that these excessive fees have on the ability of wireless and other carriers to provide advanced services to the public.<sup>5</sup>

#### **I. The Commission Should Monitor The Proliferation Of Taxes And Fees That Threaten Wireless Communications Growth**

The Commission should carefully monitor the proliferation of taxes and charges that burden the mobile and fixed wireless industries. While these industries continue to grow in terms of consumers and revenues, creating jobs and tax revenues, these positive trends can be reversed by cascading charges.

More and more Americans are turning to the wireless solution for their communications needs. Almost 50 percent of U.S. homes now use a cellular or PCS phone or paging services. This penetration rate is up from 41 percent in 1997 and 45 percent in 1998.<sup>6</sup> Nevertheless, these positive usage trends mask the fact that mass wireless usage is still in its early stages.

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<sup>5</sup> PCIA agrees that Section 601(c)(2) of the Telecommunications Act of 1996 limits the Commission’s authority to modify State and local taxes. The Commission must, however, retain its sole right to regulate the terms of entry and rates charged by wireless carriers. See 47 U.S.C. §332(c)(3). To the extent that State or local government taxes or fees targeted at the wireless industry impact the ability of wireless operators to provide services in a community or the rates charged for those services, the Commission has a legitimate concern and can rightfully exercise its jurisdiction. Apart from taking affirmative action against excessive wireless taxes and fees, the Commission should inform the Congress of the scope and impact of wireless tax burdens in order that Congress may consider action on this matter.

<sup>6</sup> 1999 PCIA/Yankee Group Wireless Consumer Study at 9. This survey is thought to be one of the largest surveys in the history of wireless consumer research. The survey was distributed to a pool of 5,500 candidates and garnered 3,414 responses. The unprecedented sample size enabled the industry’s leading wireless research team to uncover statistically significant data relating to a wide range of wireless topics, including multiple-device ownership, wireless replacement of wireline, paging and mobile phone usage patterns, user demographics and attitudes.

Many wireless users have only recently turned to the wireless alternative. Sixty-eight (68) percent of wireless phone users have been subscribing for four or fewer years. Only 18 percent have had a wireless phone for more than six years. More than half of all pager users (57%) have been subscribing for four or fewer years and only 28 percent for more than six years.<sup>7</sup>

Wireless usage has a long way to go before it can approach the usage level of imbedded wireline alternatives. The Commission just recently reported on the early efforts of mobile wireless operators to offer substitutes for wireline services.<sup>8</sup> The Commission also recognized that fixed wireless technologies have the potential of offering consumers advanced communications services without the intrinsic delays and high costs of deploying new wireline facilities.<sup>9</sup> The Commission should do every thing possible to ensure that these positive trends are not threatened by taxes and fees that dampen consumer demand and with it the investment in these advanced wireless facilities.

## **II. Increases In Governmental Taxes And Fees Harm The Public By Impeding The Development And Deployment Of Advanced Wireless Facilities**

The wireless industry is perhaps the most competitive segment of the telecommunications industry. Wireless carriers do not hold exclusive monopolies within their territories, as has been the case until recently on the wireline side, but compete

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<sup>7</sup> Id. at 17.

<sup>8</sup> Fourth Annual Report and Analysis of Competitive Market Conditions With Respect to Commercial Mobile Services, FCC 99-134 (rel. June 24, 1999) at 12.

<sup>9</sup> Id. At Appendix F.

with networks using various spectrum bands and offering various permutations of voice and data services. Competition is driving down consumer prices while carriers are facing extraordinary expenses to buildout or improve their networks. Government must be cautious about adding to these expenses.

PCIA is again submitting for the Commission's consideration a White Paper that discusses the cumulative impact of taxes on the wireless industry. The paper, "Unintended Consequences: Public Policy and Wireless Competition," includes an extensive state and local tax survey prepared by PriceWaterhouseCoopers, LLP.

The White Paper, prepared by former FCC Chief Economist Michael Katz and John Hayes, sets out the significant negative impact of rising governmental charges:

- Even in a competitive market, raising the cost of wireless service will ultimately raise consumer costs and suppress demand;
- A drop in consumer demand will reduce the ability of wireless service providers to attract investment, which in turn will decrease the incentives for new wireless carriers to enter the market and for existing carriers to expand their services or upgrade their networks;
- Higher costs will discourage wireless entry into some communities where the cost burdens imposed outweigh the potential market opportunity.

Even a cursory review of the survey results suggests that government's impact on the financial viability of wireless carriers is significant and growing. The total federal, state and local tax burden on intrastate wireless revenues exceeds 20 percent in some jurisdictions. Assessment levels vary widely across taxing jurisdictions, from a low of 3.76 percent to 24.78 percent.<sup>10</sup> Local governments are frequently responsible for the largest portion of the total tax burden borne by wireless carriers. The actual burden on wireless carriers is much larger than the survey shows, as the survey did not

incorporate many general taxes imposed on all companies. These financial burdens are likely to increase.

### **III. Conclusion**

While the number and size of federal, state, and local burden on wireless carriers is of concern, the extent of governmental taxes and regulatory burdens on the wireless industry is particularly troubling because it stands in stark contrast to the favorable treatment of the Internet. In the case of the Internet, policy makers have recognized that outmoded regulatory and taxation models from a wireline monopoly era are inappropriate and threaten the viability of the evolving technology and market.

Wireless services are likewise in their early stages of rollout and mass consumer acceptance. Given the competitive nature of the wireless market and its potential to offer consumers a new generation of advanced services, government must be similarly cautious in burdening this industry with cascading taxes and fees.

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<sup>10</sup> PCIA has no reason to believe that these burdens have decreased in the last year.

The Commission should take the lead in focusing policy makers' attention on wireless operators' ability to improve consumer welfare, create new jobs and revitalize communities. More and larger wireless taxes and fees will not accomplish this goal.

Respectfully submitted,

**PERSONAL COMMUNICATIONS INDUSTRY  
ASSOCIATION**

By: 

Mary McDermott  
Chief of Staff and Senior Vice President,  
Government Relations

Brent H. Weingardt

Vice President,

Government Relations

**PERSONAL COMMUNICATIONS  
INDUSTRY ASSOCIATION**

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October 12, 1999

**UNINTENDED CONSEQUENCES:  
PUBLIC POLICY AND WIRELESS COMPETITION**

Michael L. Katz and John B. Hayes

**The Tilden Group, LLC**  
5335 College Avenue  
Oakland, California 94618

1 October 1998

State and Local Tax and Fee Survey  
prepared by PricewaterhouseCoopers, LLP

This report was prepared at the request of the Personal  
Communications Industry Association.





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OCT 12 1999  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

VIA COURIER

November 12, 1998

Magalie Roman Salas, Esq.  
Secretary, Federal Communications Commission  
The Portals  
445 Twelfth Street, SW  
Counter TW-A325  
Washington DC 20554

Re: *Ex Parte Notification: Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans, CC Docket No. 98-146 Unintended Consequences: Public Policy and Wireless Competition* by Dr. Michael L. Katz and John B. Hayes

Dear Ms. Salas:

Attached is a letter and a white paper entitled *Unintended Consequences: Public Policy and Wireless Competition* by Dr. Michael L. Katz and John B. Hayes ("White Paper") that the Personal Communications Industry Association is submitting today to Mr. John Berresford, Senior Antitrust Attorney, Industry Analysis Division of the Common Carrier Bureau, regarding the captioned proceeding. The White Paper analyzes, in part, a survey that PricewaterhouseCoopers, LLP conducted on state and local taxes and fees imposed on wireless carriers. The letter, the White Paper, and the survey highlight the mounting financial obligations that all levels of government – Federal, state, and local – are choosing to impose on wireless service providers in the form of taxes, fees, and public policy assessments. Unless public officials recognize the effect of these obligations on the industry's ability to provide advanced telecommunications capabilities and services, neither the full potential of the marketplace nor the goals of Section 706 will ever be realized.

Pursuant to Section 1.1206(b) of the Commission's rules, two copies of this letter and attached White Paper are being provided for inclusion in the public record. 47 C.F.R. § 1.1206(b). If you have any questions regarding this matter, please call me at 703-739-0300.

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia S. Thomas", is written over a horizontal line.

Cynthia S. Thomas  
Director, Regulatory Affairs

cc: John Berresford (2 copies of White Paper)



***VIA COURIER***

November 12, 1998

Mr. John Berresford  
Industry Analysis Division  
Common Carrier Bureau  
Federal Communications Commission  
2033 M Street, NW, Room 500  
Washington, DC 20554

Re: *Ex Parte Submission: Inquiry Concerning the Deployment of  
Advanced Telecommunications Capability to All Americans,  
CC Docket No. 98-146  
Unintended Consequences: Public Policy and Wireless  
Competition by Dr. Michael L. Katz and John B. Hayes*

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Dear Mr. Berresford:

The Personal Communications Industry Association ("PCIA") submits this *ex parte* to highlight the mounting financial obligations that all levels of government are imposing on wireless service providers in the form of taxes, fees, and public policy assessments. Considered alone, any one of these obligations may be viewed as inconsequential. Indeed, a single brick certainly is without significance in building a structure. However, one brick combined with another, and then another, and then another, builds walls. The wireless industry is facing its own type of wall. The cumulative costs of explicit taxes, fees, and assessments at all levels of government, combined with the implicit (or internal) costs of compliance with an entire panoply of regulatory obligations, threatens to hem in the wireless industry. Because of these burdens, the wireless industry cannot fulfill its potential to meet the public's advanced telecommunications needs.

Mr. John Berresford  
November 12, 1998  
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The attached paper, *Unintended Consequences: Public Policy and Wireless Competition* ("White Paper"),<sup>1</sup> illustrates and documents just some of the effects that federal, state, and local government authorities create when they choose to impose these obligations on the wireless industry. Ultimately, of course, these burdens fall on the public. They significantly impede the development of competition and the deployment of advanced telecommunications capabilities to all Americans by:

- raising the cost of wireless services, which ultimately raises consumer prices and suppresses demand;
- reducing the ability of wireless service providers to attract investment, which decreases the incentives for new wireless carriers to enter the market and for existing carriers to expand their services to construct new, technologically advanced networks; and
- discouraging entry in some communities where the substantial burdens imposed greatly outweigh the potential market opportunities.

Further, as substantial as the existing burdens are on the wireless industry, those burdens are expected to increase dramatically in the near term as industry members modify their systems and deploy the equipment needed to satisfy new sets of regulatory obligations. It is critical for legislative and regulatory decision-makers, at all levels of government, to recognize that, while an individual cost in isolation may seem reasonable, the cumulative effect represents a substantial cost to the wireless operator and the wireless consumer. These substantial costs

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<sup>1</sup> Dr. Michael L. Katz and John B. Hayes, *Unintended Consequences: Public Policy and Wireless Competition* (1998) (prepared for the Personal Communications Industry Association) ("White Paper").

significantly distort the investment decisions of the industry, impede effective competition, and delay the deployment of wireless advanced capabilities and services to the American public.

**I. EACH LAYER OF GOVERNMENT IMPOSES TAXES, FEES, AND PUBLIC POLICY ASSESSMENTS THAT SIGNIFICANTLY BURDEN WIRELESS CARRIERS**

As Messrs. Katz and Hayes demonstrate, the cumulative effect of the multiple burdens that the various government entities place upon the wireless industry is formidable and costly. At the federal level alone, carriers will be required to expend resources to comply with a host of regulatory requirements. Wireless carriers take steps to redesign and replace existing systems and equipment solely as a result of government mandates. Carriers must also make direct payments into funds consistent with federal mandates. As described in the White Paper, wireless carriers are required to contribute to Universal Service Funds and the Telecommunications Relay Services Fund, and to pay annual regulatory fees to the Commission.<sup>2</sup> The White Paper further notes the significant burdens imposed on wireless carriers to comply with the Commission's wireless number portability requirements, Customer Proprietary Network Information rules, and to implement the Communications Assistance for Law Enforcement Act.<sup>3</sup> In addition, as PCIA and others have made clear in a number of proceedings, carriers will be required to pay into the North American Numbering Plan Fund and the Local Number Portability Fund, and to expend

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<sup>2</sup> *Id.* at 32-33.

<sup>3</sup> *Id.* at 32.

significant amounts of capital to deploy enhanced 911 systems. This list is illustrative; it is certainly not exhaustive.

State and local governments also impose their own fees and taxes. Until now, the data on state and local taxes and fees on file at the Commission has been largely anecdotal. The PricewaterhouseCoopers, LLP survey that accompanies the White Paper focuses on state and local taxes and fees imposed on wireless carriers. This survey provides valuable insight into one part of the overall picture of taxes, fees, and government mandates imposed on wireless carriers. Specifically, the PricewaterhouseCoopers, LLP survey includes detailed data on corporate income taxes, sales and use taxes, gross receipts taxes, property taxes, franchise fees, lease taxes, business occupational or license taxes and fees, universal service fund fees, TDD/TDS fees, 911 fees, antenna/permit fees, recording and transfer fees, incorporation and registration fees, and public utility and utility user fees imposed on wireless carriers at state and local levels.<sup>4</sup>

Again, the White Paper illustrates that the cumulative effect of these taxes, as well as certain federal obligations, is significant. For example, the few taxes and fees that are quantified in the White Paper<sup>5</sup> can claim up to almost 25 percent of the carriers' intrastate revenues,<sup>6</sup> with

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<sup>4</sup> *Id.* at App. A.

<sup>5</sup> The "readily quantifiable" tax and fee percentages were calculated from state and local statutes and regulations, *e.g.*, sales taxes; through converting obligations assessed as a specific dollar amount, *e.g.*, 911 fees, to a percentage of revenues based on the average amount customers spend per month on service; or by assuming gross income is 35 percent of revenues where the tax or fee is assessed on gross income, *e.g.*, gross receipts taxes. *Id.* at 18. The quantifiable taxes and fees include state and local public utility commission fees, business occupational/license

(Continued...)

approximately half of the surveyed markets imposing assessments quantified between 10.1 and 15 percent.<sup>7</sup> Importantly, these percentages do not include the costs of property taxes, franchise fees, recording taxes, and other state and local assessments that are not quantifiable.<sup>8</sup>

In addition, there is a great deal of uncertainty today about the eventual parameters of the Commission's high-cost fund because the Commission is in the midst of proceedings to determine how those costs should be calculated and reimbursed.<sup>9</sup> If the high-cost fund increases as much as some estimates indicate, it would inevitably lead to significantly increased universal service support payments. Whatever level of funding is provided through federal mechanisms, states will be responsible for funding some significant portion of the universal service costs. As

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(...Continued)

fees, universal service taxes and assessments, 911 fees, sales and use taxes, and TDD/TDS fees. *Id.* at Table 1.

<sup>6</sup> The quantifiable state and local taxes in Los Angeles, California, represent an assessment of 24.78 percent. *Id.* at 20-23.

<sup>7</sup> See *id.* at Table 1.

<sup>8</sup> Not all taxes and fees are quantifiable as revenue percentages because the actual tax base is unknown, e.g., property taxes (reasonable value of the property), or not based on revenues, e.g., income taxes (profit taxes). More specifically, the state and local taxes and fees not calculated in the quantified percentages include corporate income taxes, property taxes, recording and transfer fees, franchise taxes, lease taxes, incorporation and registration fees, and antenna-permit fees. *Id.* at 18.

<sup>9</sup> See Federal-State Joint Board, *Report to Congress*, CC Docket No. 96-45, FCC 98-67 at ¶¶ 225-27 (rel. Apr. 10, 1998) (noting that the current federal contribution figure is a "place holder" and that states "may require greater assistance").

indicated in the White Paper, many states are just now establishing or redesigning their universal service programs.<sup>10</sup> As a result, it appears reasonable to expect that wireless carriers in many states will soon confront new or increased obligations to support intrastate universal service programs. Thus, wireless carriers have every reason to believe that they soon will be facing significantly increased universal service obligations at both the federal and state level.

## **II. THESE TAXES, FEES, AND PUBLIC POLICY ASSESSMENTS DISTORT MARKET SIGNALS AND DIVERT RESOURCES AWAY FROM DEPLOYING ADVANCED TELECOMMUNICATIONS CAPABILITIES AND SERVICES**

These taxes, fees, and other assessments carry a heavy economic price. As the White Paper explains, these obligations raise the cost of wireless services and those raised costs, in a competitive market, are eventually reflected in higher consumer prices.<sup>11</sup> This artificial increase in price artificially suppresses the demand for wireless services because the corresponding benefit of a call no longer outweighs the higher cost of the call.<sup>12</sup> According to the White Paper, this reduced telephone use is inefficient because "when prices exceed incremental costs, there are consumers who choose not to make calls even though they value the calls at more than their incremental cost."<sup>13</sup>

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<sup>10</sup> *White Paper* at 19.

<sup>11</sup> *Id.* at 29-30.

<sup>12</sup> *Id.* at 30.

<sup>13</sup> *Id.*

The imposition of these assessments, as a result, distorts the signals upon which investors and carriers rely to make their investment and supply decisions.<sup>14</sup> Demand signals are one critical component of a business' investment paradigm. In this case, the reduced demand signal that higher prices cause necessarily implies that investment will be lower because the demand to support higher levels of investment simply is not present. Thus, it is even more difficult for new carriers to obtain the start-up capital to build their networks and for existing carriers to invest in new technologies.<sup>15</sup>

### **III. THE COSTS CREATED BY THESE TAXES, FEES, AND REGULATORY BURDENS ARE OFTEN DISCRIMINATORY AND MULTIPLIED IN THE WIRELESS CONTEXT**

Not only do these taxes, fees, and regulatory burdens distort investment, supply, and demand signals relevant to the ability of wireless carriers to bring advanced services to their customers, many of these burdens are inherently discriminatory in the wireless context. As the White Paper aptly points out, the discriminatory effect arises from that fact that "some of these taxes were designed and intended for monopoly local exchange carriers and reflect wireline service concepts and methods."<sup>16</sup>

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<sup>14</sup> *Id.*

<sup>15</sup> *Id.* at 32.

<sup>16</sup> *Id.*



For example, a rights-of-way tax includes an element that reimburses the state or local government for the use of public rights-of-way. Wireless carriers, however, do not use public rights-of-way as intensively as wireline carriers. Thus, any tax a wireless carrier would pay should reflect this reduced cost to the public.<sup>17</sup> A franchise tax permits the public to recover some of the profits generated when government authorities award a monopoly franchise to an entity. As the Commission well knows and as the White Paper points out, wireless carriers are not granted monopoly franchises and, therefore, should not be taxed as if they were.<sup>18</sup> The White Paper further notes that, "because PCS licensees paid for the right to provide wireless service . . . charging these carriers additional franchise fees can amount to double taxation."<sup>19</sup>

The effect of these taxes and obligations is aggravated and magnified when the compliance burden is considered. A wireless carrier's market area is regional and will include a wide variety and number of different local, and even state jurisdictions. Given our federalist form of government, taxes, fees, and other obligations significantly vary across each of these jurisdictions. Thus, "tracking and complying with each city's rules and assessments . . . is a significant administrative cost."<sup>20</sup> Importantly, there are no precise means for capturing these costs as the wireless customer moves through each jurisdiction in the course of one call.

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<sup>17</sup> *Id.* at 31

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

#### IV. CONCLUSION

This discouraging tax and regulatory treatment of wireless telecommunications services is particularly troubling because it stands in stark contrast to the favorable treatment of Internet service providers. In the case of the Internet, policy makers have recognized that outmoded regulatory and taxation models from a monopoly era are inappropriate. Policy makers have instead concluded that these outmoded approaches are counterproductive and threaten the viability of the technology and market.<sup>21</sup> Thus, Congress passed a measure included in the 1998 omnibus spending bill that imposes a three-year moratorium on new taxes on Internet access and services.<sup>22</sup> During that time period, a nineteen-member commission will study how taxes should be applied to the Internet. Given the competitive nature of the wireless market and the fact that wireless advanced services are still in their infancy, similar consideration is warranted for these new telecommunications networks.

Some level of taxes and regulatory mandates will remain a fact of life for wireless carriers, even as those carriers struggle to attract capital, build out markets, and battle for customers in a competitive environment. But federal, state, and local public officials must recognize that these burdens have a real cost in terms of economic consumer welfare. As Katz

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<sup>21</sup> See *Clinton Opposes Net Taxes*, USA Today (Feb. 27, 1998) (The President stated: "We can't allow unfair taxation to weigh it [the Internet] down and stunt the development of the most promising new economic opportunity in decades.").

<sup>22</sup> Omnibus Spending Bill, H.R. 4328 (Oct. 21, 1998).

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and Hayes demonstrate, these compounding burdens suppress demand for services and cause customers to forgo using wireless communications because government action has forced up prices. There is no quick and easy solution to this pervasive problem, but the fact remains: unless public officials, including regulators, seriously consider the effect of their actions on the ability of industry to develop, deploy, and reasonably price new advanced telecommunications capabilities and services, the goals of Section 706 will never be realized. At the very least, government, at all levels, owes the American people an explanation of why such a tremendous sacrifice should be asked of them.

Sincerely,

A handwritten signature in black ink, reading "Mary McDermott". The signature is fluid and cursive, with the first name "Mary" and last name "McDermott" clearly legible.

Mary McDermott  
Chief of Staff and Senior Vice President,  
Government Relations

MMcD/rg

Enclosure: *Unintended Consequences:  
Public Policy and Wireless Competition*